IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 1011 OF 2007.

Aniruddha Uttam Seolekar. ... Petitioner.

Versus.

Mrs.Renuka Ghadge and others. ... Respondents.

Shri R.D.Soni i/by M/s.Ram & Co. for the Petitioner.

CORAM : ABHAY S.OKA, J.

DATED : 21st February, 2007.

P.C.:

1. Heard the Advocate for the Petitioner. The Petitioner is the 6th Defendant in a suit filed by the 1st Respondent. The suit is for partition and declaration. In the said suit an application for interim injunction was made by the 1st Respondent. The said application has been allowed by the trial Court by directing the Petitioner and other Defendants not to create third party interests and not to dispose of the property till final disposal of the suit. The said discretionary order passed by the trial Court has been confirmed in appeal.

2. Thus, during the pendency of the substantive suit for partition and for declaration that the transaction in favour of the Petitioner is not binding on the 1st Respondent, a limited temporary injunction has been granted restraining the Petitioner from

creating any third party interests. No case is made out for interference in this petition under Article 227 of the Constitution of India. The petition is rejected. The trial Court will decide the suit uninfluenced by the impugned order and the confirmation thereof by this Court. Hearing of the suit is expedited.

Judge.